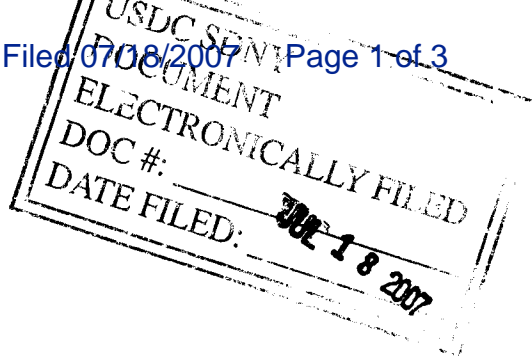


**JUDGE KAPLAN**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x

UNITED STATES OF AMERICA :

-v.- :

INDICTMENT

ELVIN CORNELIO, :  
a/k/a "Eric Bayala Rivera," :

Defendant. :

----- x

**07 CRIM. 656**

COUNT ONE

The Grand Jury charges:

1. On or about October 17, 2006, in the Southern District of New York, ELVIN CORNELIO, a/k/a "Eric Bayala Rivera," the defendant, unlawfully, willfully, and knowingly did make a false statement in an application for a passport with the intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws, to wit, CORNELIO submitted an application for a United States passport in which he falsely represented that his name is "Eric Bayala Rivera," that he was born in Arecibo, Puerto Rico, that he was born on June 27, 1963, and that he has a social security number ending in -2749.

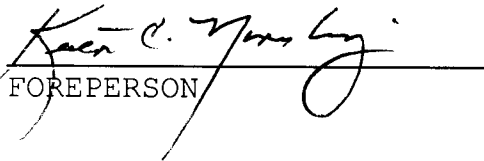
(Title 18, United States Code, Section 1542.)

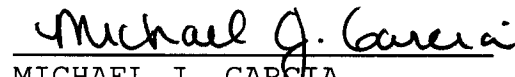
COUNT TWO

2. On or about October 17, 2006, in the Southern District of New York, ELVIN CORNELIO, a/k/a "Eric Bayala Rivera,"

the defendant, unlawfully, willfully and knowingly, did possess and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Section 1028A(c), to wit, the defendant used the name, date of birth, and social security number of another, to commit the passport fraud charged in Count One of this Indictment.

(Title 18, United States Code, Section 1028A.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

ELVIN CORNELIO  
a/k/a "Eric Bayala Rivera,"

Defendant.

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INDICTMENT

07 Cr.

(18 U.S.C. §§ 1542, 1028A.)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

  
Foreperson.

Post 11-1-87

7/18/07

Filed Ind.

Ellis J.